

Appln. No.: 10/642,652
Amendment under 37 C.F.R. § 1.111

REMARKS

Claims 1-7 are pending in the application.

Claims 1-7 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting over co-pending Application Nos. 10/297,173, 11/000,007, and 11/014,779.

With respect to the provisional obviousness-type double patenting rejection, MPEP 804 states that “a provisional rejection *can* be addressed by both the applicant and the examiner without waiting for the first patent to issue” (emphasis added). Therefore, Applicants can also choose to defer a response to the provisional rejection until one of the applications is issued as a patent. Applicants respectfully defer the response to the provisional obviousness-type patenting rejection over U.S. Appln. Nos. 10/297,173, 11/000,007, and 11/014,779 at the present time.

Claims 1-7 have been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

The Examiner asserts that the claim language is awkward and non-sensical.

Applicants submit that the claims are clear and definite because it is clear from reading the claims in view of the specification that the thermoset resin is a cleaning layer. However, to advance prosecution but without narrowing scope, Applicants have amended the claims to specifically recite “a thermoset resin cleaning layer.”

Additionally, the Examiner asserts that the phrase “a transfer member” in claim 6 lacks antecedent basis.

Applicants respectfully traverse the rejection. Applicants submit that the phrase “a transfer member” does not lack antecedent basis because the phrase “transfer member” first occurs in claim 6 and since it is the first occurrence, the phrase “transfer member” is preceded by the appropriate article “a.” Additionally, claim 6 is directed to “A transfer member having a cleaning function, which comprises a transfer member and the cleaning sheet of claim 3 or 4 bonded thereto through the pressure-sensitive adhesive layer comprising a thermoplastic resin.” Claim 6 is not dependent from claims 3 and 4. On the contrary, claim 6 makes reference to preceding claims 3 and 4 to define a limitation, which is an acceptable practice in the USPTO, and should not be rejected as improper or confusing under 35 U.S.C. § 112, second paragraph. MPEP 2173.05(f).

In view of the foregoing, Applicants submit that the claims are clear and definite and respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1-7 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by EP 0930538 (“EP ‘538”).

The Examiner asserts that EP ‘538 meets Applicants’ claimed invention because EP ‘538 discloses a cleaning tape comprising a tape body, an adhesive layer on at least one side of the tape body, and a porous screen laid on the adhesive layer.

The constitution of EP ‘538 is “a porous screen / an adhesive / a tape body (or substrate).” When the cleaning tape is subjected to pressure (as shown in Fig. 7), the adhesive layer emerges from the pores in the porous screen.

In contrast to EP '538, the present invention is directed to a cleaning sheet which comprises a thermoset resin cleaning layer having porosity. Applicants submit that a thermoset resin layer having porosity is different from a tape body disclosed in EP '538, which has a porous screen, which is made using a rough knitted fabric ([0023]). Additionally, the cleaning sheet of the present invention is used for cleaning, for example, various substrate-processing apparatus, systems for conveying exposure masks (reticles) in microfabrication, etc., which is different from the cleaning tape of EP '538 which is used for cleaning transporting surfaces of transporting rollers.

The constitution of the preferred embodiment of the present invention is "a thermoset resin layer having porosity (cleaning layer)/ a support / a thermoplastic resin (an adhesive layer)." See, e.g., claim 4. Moreover, when the cleaning sheet of the present invention is subjected to pressure, the adhesive layer does not emerge from the thermoset resin layer having porosity because in Applicants' preferred embodiment the support is between the thermoplastic resin (adhesive layer) and the thermoset resin layer having porosity.

Additionally, the adhesive layer in EP '538 is composed of synthetic rubbers including acrylic rubbers, styrene rubbers, silicon rubbers (page 4, [0021]). However, Applicants' adhesive layer of claims 3 and 4 is a thermoplastic resin, such as, polycarbodiimide, polyimide, heat-resistant acrylic resin, fluororesin, polyester resin, or the like (page 6, lines 9-11), which are not the same materials that comprise the adhesive layer in EP '538.

Further, in various substrate-processing apparatus, for example, substrates are conveyed while being in physical contact with each conveying system. In this conveyance, when the

Appln. No.: 10/642,652
Amendment under 37 C.F.R. § 1.111

substrates or the conveying systems have foreign particles adherent thereto, the succeeding substrates are contaminated one after another. Therefore, it has been necessary to periodically stop and clean the apparatus. Because of this, there has been a problem that the cleaning operation results in a reduced time efficiency and necessitates much labor.

The present invention provides cleaning sheets and a cleaning method with which a substrate can be conveyed without fail even into, in particular, a substrate-processing apparatus or conveying system having a high temperature inside and foreign particles adherent to inner parts of the apparatus or to the conveying system can be easily removed without fail.

In view of the foregoing, Applicants submit that the cleaning sheet of the present invention is entirely different from and not anticipated by the cleaning sheet disclosed in EP '538. Therefore, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Appln. No.: 10/642,652
Amendment under 37 C.F.R. § 1.111

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

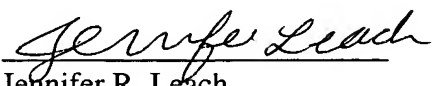
Respectfully submitted,

SUGHRUE MION, PLLC
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

WASHINGTON OFFICE

23373

CUSTOMER NUMBER


Jennifer R. Leach
Registration No. 54,257

Date: September 28, 2005